

02-25-02

A

Docket No. 94-00

## PATENT APPLICATION TRANSMITTAL LETTER

To the Commissioner of Patents and Trademarks:

Transmitted herewith for filing under 35 U.S.C. 111 and 37 C.F.R. §1.53 is the patent application of:  
**Stephen J. Kaufman**

entitled: **DIAGNOSTICS, ASSAY METHODS AND AMELIORATION  
 OF MUSCULAR DYSTROPHY SYMPTOMS**

Enclosed are:

- ☒ 38 pages of written description, claims and abstract.  
☒ 12 sheets of drawings.  
☐ sequence listing - paper copy  
☐ an assignment of the invention to \_\_\_\_\_.  
☐ executed declaration of the inventors and associate power of attorney.  
☐ a certified copy of a \_\_\_\_\_ application.  
☐ a verified statement to establish small entity status under 37 CFR §1.9 and §1.27  
☒ Applicants Claim Small Entity Status. See 37 CFR 1.27  
☐ Request that application not be published pursuant to 35 USC 122(b)(2)(B)(i)  
☐ information disclosure statement.  
☐ preliminary amendment  
☒ other: Sequence Listing Diskette  
☒ Statement under 37-CFR § 1-821-824  
☒ Application Data Sheet

## CLAIMS AS FILED

	Number Filed	Number Extra *	Rate	Fee
BASIC FEE			\$740	\$740
TOTAL CLAIMS	23-20 =	3	x \$18	54
INDEPENDENT CLAIMS	2-3 =	0	x \$84	
MULTIPLE DEPENDENT CLAIM PRESENT			x \$280	

\* Number extra must be zero or larger **TOTAL \$ 794**

If applicant has small entity status under 37 C.F.R. 1.9 and 1.27, then divide total fee by 2, and enter amount here.

**SMALL ENTITY TOTAL****\$397**

X

No filing fee is enclosed at this time.

A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 07-1969 as described below.

- \_\_\_ Charge the amount of \$\_\_\_\_\_ as filing fee.
- \_\_\_ Credit any overpayment.
- \_\_\_ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.
- \_\_\_ Charge any processing fees required under 37 CFR 1.17
- \_\_\_ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- \_\_\_ Other \_\_\_\_\_

Benefit of Prior Application(s) (35 USC 119)

Applicant claims priority under 35 USC 119 to the following application(s):

X

Benefit of Prior U.S. Application(s) (35 USC 119(e))

Applicant claims priority under 35 USC 119(e) to the following application(s):

**U.S. Provisional Application 60/270,645 filed February 20, 2001**

**U.S. Provisional Application 60/286,890 filed April 27, 2001**

Benefit of Prior U.S. Application(s) (35 USC 120)

Applicant claims priority under 35 USC 120 to the following application(s):



23713

PATENT TRADEMARK OFFICE

Reg. No. 33,878

Donna M. Ferber

Type or print name of attorney

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

20 February 2002 B. Kroge  
Date B. Kroge  
Express Mail Receipt No: EL 827 990 402 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
Kaufman : Group Art Unit: Not yet assigned  
Serial No. Not yet assigned : Examiner: Not yet assigned  
Filed: February 20, 2002  
For: DIAGNOSTICS, ASSAY METHODS AND  
AMELIORATION OF MUSCULAR DYSTROPHY  
SYMPTOMS

STATEMENT UNDER 37 C.F.R. §1.821-824

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

The above-identified patent application contains sequences as defined in 37 C.F.R. §1.821(a). Accordingly, the specification includes a paper copy of Sequence Listing as pages 1 - 3. Applicants also submit a write-protected diskette copy of the Sequence Listing in computer-readable form as required by 37 C.F.R. §1.821(e).

In compliance with 37 C.F.R. §1.821(f), the undersigned states that the content of the paper copies and computer-readable copies of the Sequence Listing are the same.

Respectfully submitted,



Donna M. Ferber  
Reg. No. 33,878

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Attorney Docket No. 94-00  
bmk: February 20, 2002

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